

PATENT COOPERATION TREATY

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INTERNATIONAL PRELIMINARY EXAMINATION REPORT
(PCT Article 36 and Rule 70)


10/509815

Applicant's or agent's file reference P200200541 WO		FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/PEA416)
International application No. PCT/DK 03/00224	International filing date (day/month/year) 07.04.2003	Priority date (day/month/year) 07.04.2002
International Patent Classification (IPC) or both national classification and IPC G01G19/32		
Applicant BILWINCO AS et al.		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 4 sheets, including this cover sheet.
- ☐ This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).
- These annexes consist of a total of sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the opinion
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

Date of submission of the demand 31.10.2003	Date of completion of this report 23.03.2004
Name and mailing address of the international preliminary examining authority:  European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465	Authorized Officer Stobbelaar, M Telephone No. +49 89 2399-2827



**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**International application No. **PCT/DK 03/00224****I. Basis of the report**

1. With regard to the elements of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17)*):

Description, Pages

1-7 as published

Claims, Numbers

1-9 as published

Drawings, Sheets

1/1 as published

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
 - ☐ the language of publication of the international application (under Rule 48.3(b)).
 - ☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).
3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:
- ☐ contained in the international application in written form.
 - ☐ filed together with the international application in computer readable form.
 - ☐ furnished subsequently to this Authority in written form.
 - ☐ furnished subsequently to this Authority in computer readable form.
 - ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
 - ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.
4. The amendments have resulted in the cancellation of:
- ☐ the description, pages:
 - ☐ the claims, Nos.:
 - ☐ the drawings, sheets:

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5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)).

(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)

6. Additional observations, if necessary:

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	1-9
	No: Claims	
Inventive step (IS)	Yes: Claims	1-9
	No: Claims	
Industrial applicability (IA)	Yes: Claims	1-9
	No: Claims	

2. Citations and explanations

see separate sheet

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT - SEPARATE SHEET**

International application No. PCT/DK03/00224

Re Item V**Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

1. The invention relates to a weighing machine with a central distributor, linear conveyors, a vibrator, spring elements and a counterweight as defined in the preamble of claim 1.
Main characteristic of the weighing machine according to claim 1 is that the spring elements suspending the conveyor ducts are directly mounted on the frame structure of the weighing machine, whereby the frame structure forms the counterweight for each conveyor duct.
Such a construction, which is both simple and easy to be cleaned, is not known nor suggested by the prior art documents cited in the search report. More specific, in these prior art documents the springs suspending the conveyor ducts are not attached to the frame directly, but to an intermediate base, which forms a counterweight. The intermediate base on its turn is attached to the frame of the machine via springs.
Therefore the subject-matter of claim 1 meets the requirements of articles 33 (2) and 33 (3) PCT.
2. Claims 2-9 are dependent on claim 1 and as such also meet the requirements of the PCT with respect to novelty and inventive step.

Additional remarks

1. Claim 1 is not clear (Article 6 PCT), because different wordings, namely "transport duct" and "conveyor duct" seem to be used to denote the same part. A uniform wording should have been used, also in the dependent claims.
2. The features of the claims have not been provided with reference signs placed in parentheses (Rule 6.2(b) PCT).
3. Contrary to the requirements of Rule 5.1(a)(ii) PCT, the relevant background art disclosed in the documents cited in the search report is not mentioned in the description, nor are these documents identified therein.